

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
TYLER DIVISION**

CELLULAR COMMUNICATIONS
EQUIPMENT LLC,

Plaintiff,

v.

HTC CORPORATION, et al.,

Defendants.

Case No. 6:16-cv-475-KNM

JURY TRIAL DEMANDED
(CONSOLIDATED LEAD CASE)

CELLULAR COMMUNICATIONS
EQUIPMENT LLC,

Plaintiff,

v.

ZTE CORPORATION, et al.,

Defendants.

Case No. 6:16-cv-476-KNM

JURY TRIAL DEMANDED

JOINT STIPULATION OF DISMISSAL

Pursuant to Federal Rule of Civil Procedure 41(a)(1)(A)(ii), Plaintiff Cellular Communications Equipment LLC (“CCE”) and Defendant ZTE (USA), Inc. (“ZTE”), hereby state that they have finalized their agreement settling matters in controversy between them. Accordingly, CCE and ZTE stipulate to the dismissal of all of their claims against one another in the above-captioned cases WITH PREJUDICE.

CCE also seeks to dismiss CCE’s claims against AT&T Mobility LLC, Sprint Solutions, Inc., Sprint Spectrum L.P., Boost Mobile, LLC, T-Mobile USA, Inc., and T-Mobile US, Inc. (collectively, the “Carrier Defendants”) that were severed and stayed from the above-captioned

cases (see ECF 109) WITH PREJUDICE solely to the extent those claims for relief asserted therein involve the manufacture, use, offer for sale, sale, and/or importation of products manufactured by or for ZTE that are the subject of the CCE-ZTE settlement agreement. The Carrier Defendants do not oppose.

CCE and ZTE ask that the Court enter the attendant proposed Order of Dismissal, with each party to bear its own costs, expenses and attorneys' fees.

Dated: September 7, 2018

<p><u>/s/ Edward R. Nelson III</u> Edward R. Nelson III ed@nbafirm.com Texas State Bar No. 00797142 Ryan P. Griffin ryan@nbafirm.com Texas State Bar No. 24053687 Thomas C. Cecil tom@nbafirm.com Texas State Bar No. 24069489 Nelson Bumgardner Albritton PC 3131 West 7th Street, Suite 300 Fort Worth, Texas 76107 Phone: (817) 377-9111 Fax: (817) 377-3485</p> <p>Bradley W. Caldwell Texas Bar No. 24040630 Email: bcaldwell@caldwellcc.com John Austin Curry Texas Bar No. 24059636 Email: acurry@caldwellcc.com Caldwell Cassady & Curry 2101 Cedar Springs Road, Suite 1000 Dallas, TX 75201 Telephone: (214) 888-4848 Facsimile: (214) 888-4849</p> <p>J. Wesley Hill Texas State Bar No. 24032294</p>	<p><u>/s/ Nicole S. Cunningham</u> Nicole S. Cunningham CA State Bar No. 234390 Steve A. Moore CA State Bar No. 232114 PILLSBURY WINTHROP SHAW PITTMAN LLP 501 West Broadway, Suite 1100 San Diego, California 92101 (619) 544-3119 (619) 236-1995 (fax) Nicole.Cunningham@PillsburyLaw.com Steve.Moore@PillsburyLaw.com</p> <p>ATTORNEYS FOR DEFENDANT ZTE (USA), INC.</p>
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<p>Claire Abernathy Henry Texas State Bar No. 24053063 Ward, Smith, & Hill PLLC P.O. Box 1231 1127 Judson Rd. Ste. 220 Longview, Texas 75606-1231 (903) 757-6400 (903) 757-2323 (fax) jw@jwfirm.com wh@wsfirm.com claire@wsfirm.com</p> <p>ATTORNEYS FOR CELLULAR COMMUNICATIONS EQUIPMENT LLC</p>	
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CERTIFICATE OF CONFERENCE

Pursuant to Local Rule CV-7(h), I certify that the all parties have met and conferred and that this Stipulation is unopposed.

/s/ Edward R. Nelson III

CERTIFICATE OF SERVICE

I hereby certify that on the 7th day of September, 2018, I electronically filed the foregoing document with the clerk of the Court for the U.S. District Court, Eastern District of Texas, Tyler Division, using the Court's electronic case filing system. The electronic case filing system sent a "Notice of Electronic Filing" to the attorneys of record who have consented in writing to accept this Notice as service of this document by electronic means.

/s/ Edward R. Nelson III